

## **Zoning Application 2020-715, Change of Zoning for 1700 Weddington Rd. from R-15 to R-12MF (CD), Williams Business Properties, LLC/Lat Purser & Associates**

**TO: Matthews Board of Commissioners**  
**DATE: November 5, 2020**  
**FROM: Robert Will, Senior Planner**

The applicant held a second community meeting on October 29<sup>th</sup>, and the main concern remained the traffic generation. Changes to the original submitted plan are as follows:

- Reduction in units from 131 to 98
- One apartment building, located in the rear of the property, reduced from four
- 5.82 Units per acre (reduced from 7.79 units per acre)
- Leasing office and amenities remain
- 10.94 acres of provided open space

Changes to the revised site plan presented at the October 12<sup>th</sup> meeting are as follows:

- 70 Townhome units (but no increase in total units)
- 7-foot perimeter sidewalk reduced to 6 feet wide.
- Reduction in impervious area
- 188 Parking spaces (reduced from 243) and parking was redesigned from parallel to head-in.
- Pedestrian entryway from S. Trade has been removed
- The developer agrees to provide dedication of land to Mecklenburg County for future greenway, see attached scope of dedication.
- Outdoor lighting will be as per the Unified Development Ordinance
- See attached plan for the final site design

However, there still remain some outstanding issues:

- The PCO plan has not been approved for the new site design.

### **Proposal/Solution**

The Planning Board recommended approval of the revised (98 unit) site plan, zoning Motion 2020-715 Change of Zoning for 1700 Weddington Rd. from R-15 to R-12MF (CD), Williams Business Properties, LLC/Lat Purser & Associates to the Board of Commissioners with a vote of 5-2.

### **Related Town Goal**

Economic Development/Quality of Life

### **Recommended Action**

Staff believes that the reduction of impervious surface is an improvement for the project, however it comes at a design cost. The redesign of the internal circulation, replacement of parallel parking with head-in parking, and reduction of townhome clusters (from 21 buildings to 17 buildings) creates a project that is not as unique as the last iteration. During the review stage, staff asked that the project density be reduced and the developer has complied. That being said, staff recommends APPROVAL of zoning application 2020-715 Change of Zoning for 1700 Weddington Rd. from R-15 to R-12MF (CD), Williams Business Properties, LLC/Lat Purser & Associates. If the board does not wish to grant approval to the project, it is recommended that they allow the withdrawal of the application in order that the property may not have to wait the one year before another proposal may be submitted.

**DRAFT---FOR APPROVAL**

**STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES  
Final Decisions on Zoning-Related Issues**

ZONING APPLICATION # \_\_\_\_\_ 2020-715 \_\_\_\_\_  
ZONING MOTION # \_\_\_\_\_  
ADMINISTRATIVE AMENDMENT \_\_\_\_\_

**Matthews Board of Commissioners adopts the checked statement below:**

- A)   X   The requested zoning action, as most currently amended, is **approved**, and has been found to be **CONSISTENT** with the Matthews Land Use Plan (or other document(s)), and to be **REASONABLE**, as follows:

**CONSISTENT:** The Land Use Plan states that 60% of the land area of Matthews is zoned for single family and that additional housing styles should be allowed to provide for housing diversity. If developed at a density of under 6 units per acre, the development would be of a density lower than other multifamily communities in Matthews. The following goals under policy 1 of the Land Use Plan (page 10) are addressed:

Strategy 1B: Provide expanded zoning options that will encourage developers to design attractive niche neighborhoods that will positively impact existing residential neighborhoods.

Strategy 1F: Actively endorse a variety of housing values and residency types (owner and renter) to be built within the Town to the local development community.

**REASONABLE:** The request is reasonable as it allows for the addition of new housing opportunities in the form of a rental community with a significant number of townhome style units within walking or biking distance of the greenway and downtown Matthews. The development would create and attractive streetscape along an identified gateway corridor into downtown Matthews. The scale and architecture (if some of the larger multifamily buildings are removed) contributes to the small town feel and character desired by citizens and Town government.

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**OR**

**DRAFT – FOR DENIAL**

- B) \_\_\_\_\_ The requested zoning action, as most currently amended, is **not approved**, and has been found to be **INCONSISTENT** with the Matthews Land Use Plan (or other document(s)), and **NOT REASONABLE**, as follows:

**INCONSISTENT:** Although the Land Use Plan makes no specific recommendation for this corner, the area surrounding the site is primarily single family zoned. The introduction of attached and stacked multifamily is inconsistent with neighborhood character.

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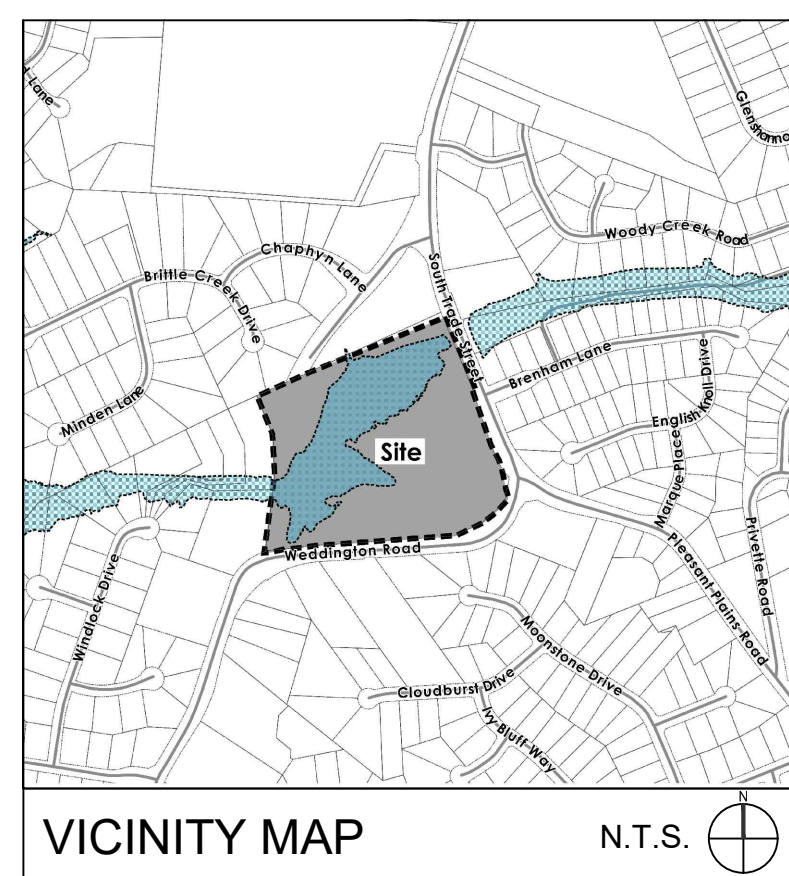
**NOT REASONABLE:** The development would, according to the report from CMS, create overcrowding issues. Traffic impacts, although hard to predict due to the pending Weddington Road interchange, could exasperate traffic issues into Matthews.

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*(In each case, the Statement must explain why the Board deems the action reasonable and in the public interest (more than one sentence). Reasons given for a zoning request being “consistent” or “not consistent” are not subject to judicial review.)*

Date: **November 9, 2020**





**VICINITY MAP**  
N.T.S.

## LEGEND

**SYMBOL**  
PROPOSED TREE SAVE

## DEVELOPMENT STANDARDS

JUNE 25, 2020

### 1. GENERAL PROVISIONS

A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING APPLICATION FILED BY LAT. PURSER & ASSOCIATES, INC. ("APPLICANT") FOR AN APPROXIMATELY 16.825 ACRE SITE LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF SOUTH TRADE STREET, PLEASANT PLAINS ROAD AND WEDDINGTON ROAD, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE SITE). THE SITE IS COMPOSED OF TAX PARCELS NO. 22720141.

B. THE DEVELOPMENT AND USE OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN. THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE TOWN OF MATTHEWS UNITED DEVELOPMENT ORDINANCE, (THE "ORDINANCE"), THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE R-12 MF ZONING DISTRICT SHALL GOVERN THE USE AND DEVELOPMENT OF THE SITE.

C. THE DEVELOPMENT AND USES DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF SUCH USES AND THE IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD AND PERIMETER LANDSCAPING REQUIREMENTS SET FORTH ON THIS REZONING PLAN, AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

### 2. PERMITTED USES

A. THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY COMPRISED OF A MULTI-FAMILY DWELLING, MULTIPLE BUILDINGS COMPLEX (INCLUDING ONE-FAMILY ATTACHED (TOWNHOME) STYLE DWELLING UNITS) AND TO ANY INCIDENTAL AND ACCESSORY USES ASSOCIATED THEREWITH THAT ARE ALLOWED IN THE R-12 MF ZONING DISTRICT. INCIDENTAL AND ACCESSORY USES MAY INCLUDE, WITHOUT LIMITATION, A LEASING AND MANAGEMENT OFFICE AND AMENITIES SUCH AS A FITNESS CENTER AND A SWIMMING POOL.

### 3. DEVELOPMENT LIMITATIONS

A. A MAXIMUM OF 98 MULTI-FAMILY DWELLING UNITS MAY BE LOCATED ON THE SITE.

B. A MINIMUM OF 68 OF THE 98 MULTI-FAMILY DWELLING UNITS SHALL BE ONE-FAMILY ATTACHED (TOWNHOME) STYLE DWELLING UNITS.

C. ONE-FAMILY ATTACHED (TOWNHOME) STYLE DWELLING UNITS SHALL BE LOCATED IN THOSE BUILDINGS DESIGNATED AS BUILDINGS 170 ON THE PLAN.

D. ROOF TOP TERRACES SHALL NOT BE PERMITTED ON ANY BUILDINGS.

### 4. DIMENSIONAL STANDARDS

A. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE DIMENSIONAL STANDARDS OF THE R-12 MF ZONING DISTRICT SET OUT IN THE ORDINANCE.

### 5. TRANSPORTATION AND PARKING

A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE ALIGNMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE TOWN OF MATTHEWS AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT).

B. THE ALIGNMENT OF THE INTERNAL, VEHICULAR CIRCULATION AREAS AND DRIVEWAYS MAY BE MODIFIED BY APPLICANT TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE TOWN OF MATTHEWS AND/OR NCDOT.

C. VEHICULAR PARKING SHALL BE PROVIDED ON THE SITE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.

### 6. STREETScape TREATMENT, SIDEWALKS AND SCREENING

A. SETBACKS AND YARDS AS REQUIRED BY THE ORDINANCE AND AS GENERALLY DEPICTED ON THE REZONING PLAN SHALL BE PROVIDED.

B. THE STREETScape TREATMENT ALONG THE SITE'S PUBLIC STREET FRONTS SHALL COMPLY WITH THE REQUIREMENTS OF THE ORDINANCE.

C. INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE INSTALLED WITHIN THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.

D. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE SCREENING REQUIREMENTS OF THE ORDINANCE.

### 7. TREE PROTECTION, LANDSCAPING AND OPEN SPACE

A. THE DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE TREE PROTECTION AND LANDSCAPING REQUIREMENTS OF THE ORDINANCE.

B. OPEN SPACE AREAS AS GENERALLY DEPICTED ON THE REZONING PLAN SHALL BE PROVIDED.

### 8. ARCHITECTURAL STANDARDS/DESIGN STANDARDS

A. THE MAXIMUM HEIGHT IN STORIES OF ANY BUILDING CONSTRUCTED ON THE SITE SHALL BE 4 STORIES.

B. NOTWITHSTANDING THE FOREGOING, BUILDINGS DESIGNATED ON THE REZONING PLAN AS BUILDINGS 170 SHALL BE LIMITED TO A MAXIMUM HEIGHT OF 3 STORIES. THE MAXIMUM HEIGHT OF THE PUBLIC STORIES OF THE PUBLIC BUILDINGS SHALL BE 2 STORIES, AND THE MAXIMUM HEIGHT IN STORIES OF THE REAR SIDES OF THESE BUILDINGS SHALL BE 3 STORIES.

C. THE PETITIONER RESERVES THE RIGHT TO DEVELOP TOWNHOME UNITS 34-70 AS 2 1/2 STORY SPLIT BUILDINGS, 3 STORY BUILDINGS OR 2 STORY BUILDINGS BASED ON FINAL ENGINEERED GRADING PLANS FOR PERKING AND CONSTRUCTION. MULTIFAMILY DWELLING MAY BE 1 SPLIT TO ALLOW FOR IMPROVED GRADING OPPORTUNITIES BASED ON FINAL ENGINEERING AND GRADING.

D. THE PROPOSED TOWNHOME UNITS 34-70 SHALL BE LOCATED ON THE SITE. THE BUILDINGS TO BE LOCATED ON THE SITE SHALL BE MASONRY AND CEMENTITIOUS SIDING. BUILDING SHALL BE MULTILEVEL RESIDENTIAL PLATS WITH THREE STORIES ON ONE SIDE AND FOUR STORIES ON THE FLOODPLAIN SIDE.

E. VINYL AND EXTERIOR INSULATED FINISH SYSTEMS MAY NOT BE USED AS AN EXTERIOR BUILDING MATERIAL. NOTWITHSTANDING THE FOREGOING, VINYL MAY BE UTILIZED ON WINDOWS, DOORS, SOFFITS, TRIM AND RAILINGS, AND EXTERIOR INSULATED FINISH SYSTEMS AND STUCCO MAY BE UTILIZED ON TRIM AND CORNICES.

F. DUMPSTER, COMPACTOR AND RECYCLING AREAS WILL BE ENCLOSED ON ALL FOUR SIDES BY AN OPAQUE WALL OR FENCE WITH ONE SIDE BEING A RINGED OPAQUE GATE. IF ONE OR MORE SIDES OF A DUMPSTER, COMPACTOR AND RECYCLING AREA ADD A SIDE WALL OR REAR WALL OF A BUILDING, THEN THE SIDE WALL OR REAR WALL OF THE BUILDING MAY BE SUBSTITUTED FOR THE WALL OR FENCE ALONG EACH SIDE.

G. ALL EXTERNAL HVAC EQUIPMENT MUST BE SCREENED FROM PUBLIC VIEW.

H. MAXIMUM HEIGHT FOR 2 STORY BUILDINGS SHALL BE 35 FEET AND MAXIMUM HEIGHT FOR 3 STORY BUILDINGS SHALL BE 45 FEET. BUILDING HEIGHT FOR 34 STORY SPLIT SHALL BE MEASURED FROM THE 3 STORY ELEVATION.

### 9. SIGNS

A. ALL SIGNS INSTALLED ON THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE ORDINANCE.

### 10. BINDING EFFECT OF THE REZONING APPLICATION

A. IF THIS REZONING APPLICATION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT AND/OR USE OF THE SITE IMPOSED UNDER THIS REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF APPLICANT AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS "APPLICANT" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF APPLICANT OR THE OWNER OR OWNERS OF THE SITE FROM THE TIME TO THE TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.



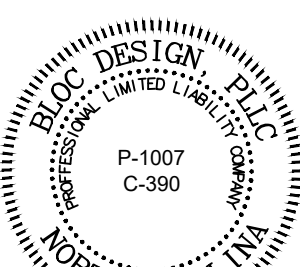
- CONTRACTOR IS RESPONSIBLE FOR PLACEMENT OF ALL BARRICADES, SIGNAGE, FLAGGERS, SHORING, ETC., TO ENSURE THE SAFETY OF WORKERS AND THE PUBLIC.
- ALL PAVEMENT CUTS SHALL BE REPLACED ACCORDING TO NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.

## REVISIONS

| NO. | DATE     | DESCRIPTION                   |
|-----|----------|-------------------------------|
| 1   | 8/28/20  | REZONING PLAN - 2nd SUBMITTAL |
| 2   | 9/30/20  | REZONING PLAN - 3rd SUBMITTAL |
| 3   | 11/02/20 | REZONING PLAN - 4th SUBMITTAL |

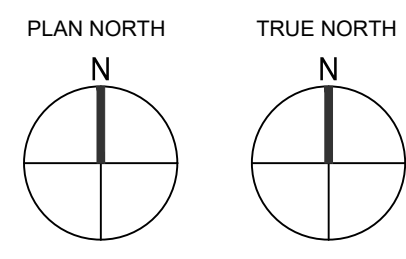
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## MNA Weddington Rd. Multifamily Development

1700 Weddington Road  
Matthews, NC 28105



DATE: 06/25/20

MPIC: CCB

DRAWN BY: EMW

CHECKED BY: CCB

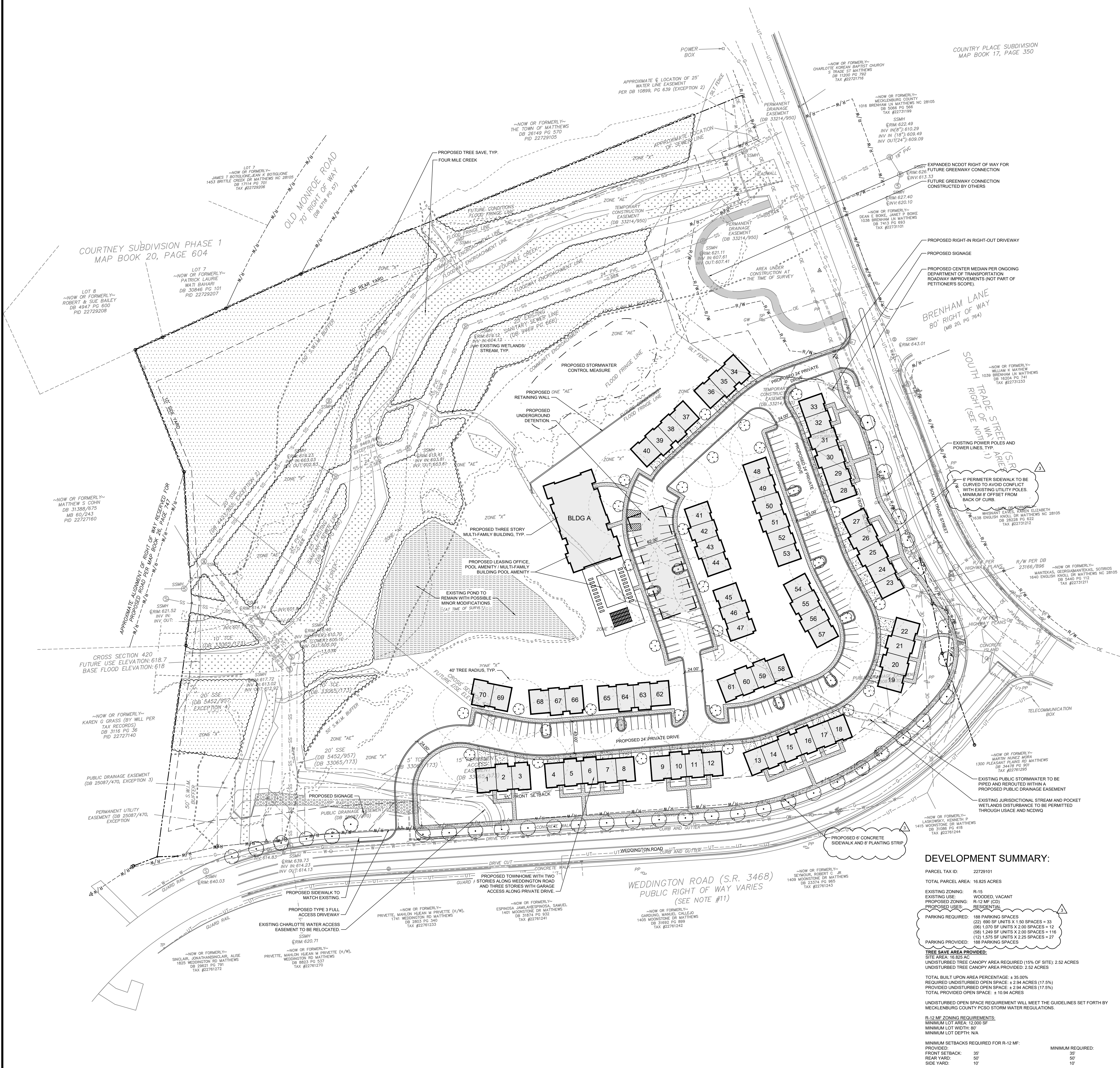
PROJECT NUMBER: 00737.00

SCALE: 1"=50'

TITLE: CONCEPTUAL SITE PLAN

SHEET NO:

RZ-1



## DEVELOPMENT SUMMARY:

PARCEL TAX ID: 22729101

TOTAL PARCEL AREA: 16.825 ACRES

EXISTING ZONING: R-15  
EXISTING USE: WOODED, VACANT  
PROPOSED ZONING: R-12 MF (CD)  
PROPOSED USES: RESIDENTIAL

PARKING REQUIRED: 188 PARKING SPACES  
(20) 600 SF UNITS X 1.50 SPACES = 30  
(8) 1,070 SF UNITS X 2.00 SPACES = 16  
(8) 1,240 SF UNITS X 2.00 SPACES = 16  
(12) 1,570 SF UNITS X 2.25 SPACES = 27  
PARKING PROVIDED: 188 PARKING SPACES

### TREE SAVE AREA PROVIDED:

SITE AREA: 16.825 AC  
UNDISTURBED TREE CANOPY AREA REQUIRED (15% OF SITE): 2.52 ACRES  
UNDISTURBED OPEN SPACE PROVIDED: 2.52 ACRES  
TOTAL BUILT UPON AREA PERCENTAGE: ± 35.00%  
REQUIRED UNDISTURBED OPEN SPACE: ± 2.94 ACRES (17.5%)  
PROVIDED UNDISTURBED OPEN SPACE: ± 2.94 ACRES (17.5%)  
TOTAL PROVIDED OPEN SPACE: ± 10.94 ACRES

UNDISTURBED OPEN SPACE REQUIREMENT WILL MEET THE GUIDELINES SET FORTH BY MECKLENBURG COUNTY PCSO STORM WATER REGULATIONS.

### R-12 MF ZONING REQUIREMENTS:

MINIMUM LOT AREA: 12,000 SF

MINIMUM LOT WIDTH: 80'

MINIMUM LOT DEPTH: N/A

MINIMUM SETBACKS REQUIRED FOR R-12 MF:

PROVIDED:

FRONT SETBACK: 35'

REAR YARD: 50'

SIDE YARD: 10'

MINIMUM REQUIRED:

FRONT SETBACK: 35'

REAR YARD: 50'

SIDE YARD: 10'





Rob Will  
Planning Department  
Matthews, North Carolina

Date: November 5, 2020

Re: Rezoning Application 2020-715; 1700 Weddington Rd.  
Supplemental Submittal

Rob,

Please find below a list of pertinent information points for the subject rezoning that is a supplement to the Petitioner's Plan.

1. Draft Exhibit attached showing the proposed limits of the greenway dedication to Mecklenburg County. The Petitioner plans to dedicate the land area via a subdivision plat.
2. Exterior lighting will abide by the lighting ordinance.

Sincerely,

A handwritten signature in blue ink that reads "Jack".

Jack Levinson  
COO, Lat Purser & Associates, Inc.

cc. John Carmichael



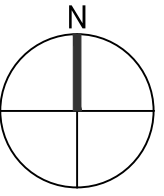
MNA WEDDINGTON ROAD MULTIFAMILY  
MATTHEWS, NORTH CAROLINA

PROPOSED GREENWAY DEDICATION

DATE: 11.04.20

SCALE: 1"= 50'

0 25' 50' 100'



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PROJECT NO.: 00737.00

